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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/026,080	12/22/2001	Alan E. Kaplan	Kaplan 2000-0142	8267

7590 03/01/2004  
Henry T. Brendzel  
P.O. Box 574  
Springfield, NJ 07081

EXAMINER

TAYLOR, BARRY W

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 03/01/2004

2

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/026,080

Applicant(s)

KAPLAN, ALAN E.

Examiner

Barry W Taylor

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Staples et al (5,764,639 hereinafter Staples) in view of Egan et al (6,560,223 hereinafter Egan).

Regarding claims 1-3, 17-18, and 24-34. Staples teaches a system and method for providing a remote user with a virtual presence to an office (see abstract), the arrangement including:

a first switch (see corporate switch 112 figures 4 and 5) connected to network (see PSTN figures 4 and 5) using trunk lines and a digital port (col. 8 line 44 – col. 10 line 23) through which information contained in the first switch can be accessed and through which control signals can be applied to control operation of the first switch,

and a second switch (see second switch 160 figures 4 and 5) connected to the network (see PSTN figures 4 and 5) using trunk lines and a digital port (col. 8 line 44 – col. 10 line 23) through which information contained in the second switch can be accessed and through which control signals can be applied to control operation of second switch, characterized by:

memory in the first switch containing directive that each call destined to a specified line of first switch is to be forwarded, through the network (see PSTN figure 4), to a specified line of the second switch.

Staples does not explicitly show caller id forwarded to remote PBX (i.e. second switch). However, Staples discloses caller id signals are used to verify telecommuters when virtual presence to an office is desired (col. 18 lines 3, 46 and 57, col. 21 line 56).

Egan improves on Staples invention (see background) by using signaling device (see digital port used to extend both signaling and voice information from a home base to a remote base---col. 4 lines 42-67). In other words, Egan shows first switch (see first PBX 35 figure 1) connected to network (i.e. PSTN figure 1) connected to second switch (see second PBX 115 figure 1). Egan discloses using signaling devices 50 and 35 for passing call setup (i.e. caller id) information between network nodes (col. 4 lines 42-67, col. 5 lines 1-16, col. 6 lines 1-57, col. 7 lines 29-52). Staples shows using IP technology for expanding existing PBX systems (col. 7 lines 39-52). Staples shows using a gateway for centrally managing multiple PBX, Centrexes and/or Key systems (see figure 3 and col. 7 line 53 – col. 8 line 54).

Therefore, it would have been obvious for any one of ordinary skill in the art at the time of invention to modify the virtual presence system as taught by Staples to use signaling devices as taught by Egan for the benefit of offering services normally associated with a home user (i.e. caller id, see col. 1 lines 53-60) to plurality of

connected or unconnected systems thus providing for "seamless" multi-site mobility as taught by Egan (col. 6 lines 55-58).

Regarding claim 4. Staples shows offering facsimile of calling plan to remote user (col. 2 lines 50-63, col. 5 line 66 – col. 6 line 7).

Regarding claims 5-7. Staples shows remote user logging in and setting up remote user information (col. 5 line 23 – col. 6 line 7, col. 6 line 46 – col. 7 line 65, col. 8 line 44 – col. 9 line 27).

Regarding claims 8-9, 19. Staples does not explicitly show using digital communication between digital ports requiring no dial-up connection.

Egan improves on Staples invention (see background) by using signaling device (see digital port used to extend both signaling and voice information from a home base to a remote base---col. 4 lines 42-67). In other words, Egan shows first switch (see first PBX 35 figure 1) connected to network (i.e. PSTN figure 1) connected to second switch (see second PBX 115 figure 1). Egan discloses using signaling devices 50 and 35 for passing call setup (i.e. caller id) information between network nodes (col. 4 lines 42-67, col. 5 lines 1-16, col. 6 lines 1-57, col. 7 lines 29-52). Staples shows using IP technology for expanding existing PBX systems (col. 7 lines 39-52). Staples shows using a gateway for centrally managing multiple PBX, Centrexes and/or Key systems (see figure 3 and col. 7 line 53 – col. 8 line 54).

Therefore, it would have been obvious for any one of ordinary skill in the art at the time of invention to modify the virtual presence system as taught by Staples to use

signaling devices as taught by Egan for the benefit of offering services normally associated with a home user (i.e. caller id, see col. 1 lines 53-60) to plurality of connected or unconnected systems thus providing for "seamless" multi-site mobility as taught by Egan (col. 6 lines 55-58).

Regarding claims 10-16 and 20-23. Staples does not show using gateway.

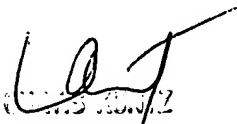
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Therefore, it would have been obvious for any one of ordinary skill in the art at the time of invention to modify the virtual presence system as taught by Staples to use signaling devices as taught by Egan for the benefit of offering services normally associated with a home user (i.e. caller id, see col. 1 lines 53-60) to plurality of connected or unconnected systems thus providing for "seamless" multi-site mobility as taught by Egan (col. 6 lines 55-58).

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barry W. Taylor whose telephone number is (703) 305-4811. The examiner can normally be reached on Monday-Friday from 6:30am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (703) 305-4708. The fax phone number for this Group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Technology Center 2600 customer service Office whose telephone number is (703) 306-0377.

  
Barry W. Taylor  
TECHNOLOGY CENTER 2600